
SMART & BIGGAR

Intellectual Property & Technology Law

To Fax no.: 703 872-9306

Page 1 of: 13

Attention: USPTO

From: Ronald Faggetter / JJP

Your file no.: Patent Appln. No. 09/878,346

Reply to Toronto file no.:

438 University Avenue
Suite 1500, Box 111
Toronto, Canada M5G 2K8

Tel.: (416) 593-5514

Fax: (416) 591-1690

Date: September 22, 2004

Time:

Please see attached:

1. Transmittal Letter (Large Entity); and
2. Amendment dated September 22, 2004.

If there are any transmission problems, please call (416) 593-5514.

Original copy and any enclosures

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☒ will not

be sent by

☐ mail

☐ courier

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Robert R. Griffioen

Serial No.: 09/878,346

Filed: June 12, 2001

For: METHOD AND SYSTEM FOR
UPGRADING EXISTING FIRMWARE
ON THIRD PARTY HARDWARE

Group Art Unit: 2124

Examiner: Qamrun Nahar

Attorney Docket No.: 91436-335

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
USA

Certificate of Transmission

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facsimile transmitted to the Patent and
Trademark Office Fax No. (703) 872-9306
on September 22, 2004

Signature

Ronald D. Faggetter

TRANSMITTAL LETTER (Large Entity)

Dear Sir:

Transmitted herewith is a response in the above-identified application.

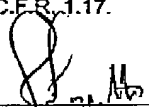
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	24	24	0	X \$18.00	\$0
INDEP. CLAIMS	6	6	0	X \$86.00	\$0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.
- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered. Please charge the fees required therefor to Deposit Account No. 19-2548.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2548. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application procession fees under 37 C.F.R. 1.17.

September 22, 2004

91436-335
Encl.
Telephone: (416) 593-5514


Ronald D. Faggetter (Reg. No. 33,345)
SMART & BIGGAR
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Toronto, Ontario, Canada M5G 2K8

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CENTRAL FAX CENTER
SEP 22 2004AMENDMENTAssistant Commissioner for Patents
Washington, D.C. 20231
USA

Dear Sir:

<p align="center">Certificate of Transmission</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9306 on <u>September 22, 2004</u>.</p> <p>Signature <u>[Signature]</u></p> <p align="center">Ronald D. Faggetter</p> <p align="center"><small>Typed or printed name of person signing this certificate</small></p>
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In response to the Office Action mailed June 23, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.